

DNR DEPARTMENTAL BILLS

SB50 – Natural Resources – Fishing Licenses and Authorizations – Suspension and Revocation

SB50 modifies DNR's current authority to suspend or revoke certain fishing licenses or authorizations. Specifically, the bill repeals the minimum and maximum time periods for suspension of a commercial tidal fish license (TFL); modifies the criteria for suspension and revocation of a TFL or authorization; requires DNR to adopt regulations providing for suspension or revocation of a TFL or authorization for conviction of an offense under the Fish and Fisheries Title of the Natural Resources Article; and establishes provisions authorizing DNR to suspend recreational fishing licenses. DNR must adopt regulations relating to the suspension and revocation of licenses and the assignment of points for specific fishery offenses in accordance with specified recommendations made by the workgroup created by the Tidal Fish Advisory Commission and the Sport Fish Advisory Commission.

SB58 – Natural Resources – Forest or Park Wardens – Term

SB58 repeals the specification of a set term in order to eliminate the unnecessary administrative work of the renewal process. At one time, DNR commissioned citizens to act on its behalf in order to enforce laws related to forest reserves, parks, and recreation areas. Because this relationship was often temporary, a set term allowed for a periodic review of those commissioned. Thus, a forest or park warden serves for a term of two years, and the Secretary of Natural Resources must regularly renew those commissions. Meanwhile, however, DNR has restricted the awarding of these commissions to permanent employees, and the review is automatic.

SB59 – Natural Resources – Hunting Licenses – Licensing Procedures and Shoreline Licenses

SB59 modifies the process used by DNR to issue shoreline and blind site licenses. First, the bill authorizes a riparian landowner to obtain a three-year license for a fee of \$60 or the current annual license. Second, the bill requires squatters to possess a current or prior year hunting license to apply to DNR to license shoreline for an offshore blind site. Third, the bill repeals the provision requiring that unexpended funds revert to the general fund; instead, unexpended funds will be credited to the Wildlife Management and Protection Fund and may not be transferred to the general fund. Additionally, the bill includes language expressly authorizing DNR to use a lottery-based system to issue hunting licenses, permits or stamps.

Owners of riparian property in Maryland (landowners) may license their shoreline to establish stationary blinds or blind sites or to prevent other people from doing so. After riparian landowners obtain licenses, Maryland residents not owning riparian property (squatters) may apply to license a blind site adjacent to shoreline that has not been previously licensed. DNR issues approximately 2,000 shoreline licenses annually to riparian landowners and another 2,500 annually to squatters.

SB61 – Department of Natural Resources – Vessel Operation – Regulations

In order to provide greater flexibility for waterway management, SB61 allows DNR to differentiate by vessel type or size in its vessel regulations so that every vessel of the same type or size may be operated with equal freedom and with equal restrictions under the same circumstances. Over the years, DNR has found that problems in vessel operation, such as wake damage, are usually not caused by all vessels, but by one select group of vessels of a specified type or size. Without the authority to adopt regulations governing the operations of only one type or size of vessel, DNR has traditionally addressed public concerns by restricting the operations of all vessels.

HB90 – Natural Resources – Public Notice – Natural Oyster Bars and Harvest Reserve Areas

HB90 authorizes DNR to adopt regulations that designate an area as a “harvest reserve area” for oysters. By publishing public notice, DNR may establish the opening or closing of a harvest reserve area; the harvest limit; the seasons, days, and times when oysters may be harvested; a minimum size limit of not less than three inches; and a maximum size limit. The bill establishes criteria DNR must follow when opening and closing an area as well as public notice requirements. The bill also modifies existing public notice requirements relating to natural oyster bars.

HB101 – Natural Resources – Vessels – Accident Reports

HB101 repeals the requirement that any collision involving two or more vessels, regardless of the amount of property damage, be reported to DNR. Rather, as under federal law, in the event of a collision in which there is only property damage, a report will be necessary only if the damage is at least \$2,000.

HB492 – Natural Resources – Waterfowl Outfitter and Waterfowl Hunting Guide Licenses

HB492 repeals the classification of master hunting guide and establishes two new licenses within DNR: a “waterfowl outfitter” is an individual who receives monetary consideration for the outfitting or guiding of hunters to hunt wild waterfowl; and a “waterfowl hunting guide” is an individual who is an employee of a waterfowl outfitter and furnishes only personal guiding services in assisting a person to hunt. An individual must be licensed by DNR as a waterfowl outfitter or a waterfowl-hunting guide before the individual may receive monetary consideration for outfitting or guiding hunters to hunt wild waterfowl. HB492 authorizes DNR to establish minimum qualifications and conduct standards for an outfitter and hunting guide, and authorizes the Department to suspend or revoke an outfitter’s license based on convictions of a guide’s violations while the outfitter employed the guide. This bill is as a result of recommendations from DNR’s Wildlife Advisory Commission.

HB503 – Environmental Trust Fund – Extension of Environmental Surcharge

HB503 extends the termination date for the environmental surcharge for five years to June 30, 2010. All electric companies must pay an environmental surcharge per kilowatt-hour of electric energy distributed in the State. This revenue, approximately \$9 million annually, is deposited in the Environmental Trust Fund (ETF) within DNR and used primarily to support DNR's Power Plant Research Program (PPRP). The ETF funds activities associated with the assessment and management of the cultural, economic, and environmental impacts of electric power generation and transmission facilities. In turn, PPRP, in cooperation with several specified State agencies, evaluates sites for their suitability for use as electric power plants, including related environmental and land use considerations; this information is then used by the Public Service Commission in considering requests for certificates of public convenience and necessity for new power plants and associated transmission lines.